

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

COREY NELSON,	:	No. 3:24cv1293
Plaintiff	:	
v.	:	(Judge Munley)
	:	
LACKAWANNA COUNTY PRISON,	:	(Magistrate Judge Arbuckle)
<i>Et al.</i> , MATTHEW J. KIESKI, <i>et al.</i> ,	:	
Defendants	:	

.....

ORDER

AND NOW, to wit, this 27th day of February 2025, before the court for disposition is Magistrate Judge William I. Arbuckle's report and recommendation, which proposes the dismissal of plaintiff's complaint pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) for failure to state a claim upon which relief can be granted without further leave to amend. No objections to the report and recommendation have been filed, and the time for such filing has passed. Therefore, in deciding whether to adopt the report and recommendation, the court must determine if a review of the record evidences plain error or manifest injustice. FED. R. CIV. P. 72(b) 1983 Advisory Committee Notes ("When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record to accept the recommendation"); see also 28 U.S.C. § 636(b)(1); Sullivan v. Cuyler, 723 F.2d 1077, 1085 (3d Cir. 1983).

After a careful review, the court finds neither a clear error on the face of the record nor a manifest injustice, and therefore, the report and recommendation shall be adopted. It is hereby **ORDERED** as follows:

1) The magistrate judge's report and recommendation (Doc. 9) is **ADOPTED**;

2) The plaintiff's complaint (Doc. 1) is **DISMISSED** pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) for failure to state a claim upon which relief can be granted without further leave to amend; and

3) The Clerk of Court is directed to close this case.

BY THE COURT:



JUDGE JULIA K. MUNLEY
United States District Court